

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent application of: CHARLES THOMAS CUNNYNGHAM

For: INBRED MAIZE LINE PH87H,

the specification of which is being transmitted herewith.

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:


Attached are copies of PTO 1449A and PTO-892 listing the relevant art known to the applicant herein. The Examiner is requested to consider the references and make them of record. This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application Serial No. 10/271,065, filed on October 15, 2002. Each of the references listed on Forms PTO 1449A and PTO-892 were submitted to, and/or cited by, the Patent Office in the prior application(s) and, therefore, are not required to be provided in this application.

Applicant discloses herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose. Legible copies of all items listed in Forms PTO/SB/08A

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CERTIFICATE OF MAILING BY EXPRESS MAIL

I hereby certify that this document and the documents referred to as enclosed therein are being deposited with the U.S. Postal Service in an envelope as "Express Mail Post Office to Addressee" addressed to: Box NEW APP – FEE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, prior to 5:00 p.m. on the 20th day of February, 2004.


Betty J. Albritton
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and 08B (formerly Form PTO-1449) accompany this information statement, except those identified above.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. § 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. (Notice of January 9, 1992, 1135 O.G. 13-25, at 25.)

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lila A. T. Akrad". The signature is fluid and cursive, with a large loop at the beginning and end.

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Attorneys of Record

Form PTO-1449

U.S. Department of Commerce
Patent and Trademark Office

ATTORNEY DOCKET NO.

SERIAL NO.

1467

10/271,065

INFORMATION DISCLOSURE STATEMENT**BY APPLICANT***(Use several sheets if necessary)*

APPLICANT

Charles Thomas Cunnyingham

FILING DATE

October 15, 2002

GROUP

U.S. PATENT DOCUMENTS

Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
	A1	6,114,613	9/5/2000	Colbert et al.			1/26/1999
	A2	6,133,514	10/17/2000	Colbert et al.			1/27/1988
	A3	5,939,607	8/17/1999	Thomas C. Cunnyingham			2/13/1998
	A4	5,859,354	1/12/1999	Norman Eugene Williams			8/21/1996
	A5	5,557,034	9/17/1996	Williams et al.			2/3/1992

FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Subclass	Translation Yes	No

OTHER DOCUMENTS *(Including Author, Title, Date Pertinent Pages, Etc.)*

	A6	Plant Variety Protection Certificate No. 9200086 for Corn PHN18, issued June 30, 1992
	A7	Plant Variety Protection Certificate No. 9900358 for Corn, Field PH3GK, issued November 6, 2001
	A8	Plant Variety Protection Certificate No. 200000197 for Corn, Field PH5CT, issued November 6, 2001
	A9	Plant Variety Protection Certificate No. 9300113 for Corn, PHN41, issued February 28, 1994
	A10	Plant Variety Protection Certificate No. 9800322 for Corn, Field PH2CB, issued September 12, 2001
	A11	Plant Variety Protection Certificate No. 9900357 for Corn, Field PH3GR, issued November 6, 2001
	A12	Plant Variety Protection Certificate No. 9700218 for Corn, Field PH09B, issued October 27, 2000

U.S. PATENT APPLICATIONS

Examiner Initials	Cite No.	U.S. Patent Application Serial Number	Filing Date of Cited Application MM-DD-YYYY	Name of Applicant of Cited Application
	A13	09/490,667	1/24/2000	Colbert et al.
EXAMINER			DATE CONSIDERED	
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.				

Notice of References Cited

Application/Control No.

10/271,065

Applicant(s)/Patent Under

Reexamination

CUNNYNGHAM, CHARLES THOM

Examiner

Ashwin Mehta

Art Unit

1638

Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-6,469,233	10-2002	Johnson	800/320.1
	B	US-5,523,520	06-1996	Hunsperger et al.	800/323.1
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	Kraft et al., Theor. Appl. Genet., 2000, Vol. 101, pages 323-326
	V	Eshed et al., Genetics, 1996, Vol. 143, pages 1807-1817
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.